

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARMEN YOBANI CAPELLAN
DE-MARTINEZ,

Defendant.

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8:19CR396

ORDER

This matter is before the court on the Unopposed Motion to Continue Trial [40]. The Defendant needs additional time to decide whether or not to proceed to trial. The court has conferred with the parties regarding the continuance and for good cause shown,

IT IS ORDERED that the Motion to Continue Trial [40] is granted, as follows:

1. The jury trial now set for August 24, 2021, is continued to **September 21, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 21, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

DATED: August 12, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge